

# 128  
11-8-07  
revised

**RESOLUTION NO**

**WHEREAS**, the city of Austin is committed to the strict enforcement of non-conforming, polluting advertising, and

**WHEREAS**, the advertising industry has taken advantage of our inability to enforce all current restrictions, and

**WHEREAS**, mobile advertising has now increased to a level that is harmful to our environment, traffic congestion, and has begun using human beings in their industry, and

**WHEREAS** the Council wishes to consider amendments to the nonconforming off-premise sign regulations to change the regulations applicable to non-conforming off-premise signs, to change the regulations applicable to the registration of non-conforming off-premise signs, and to establish regulations related to mobile advertising signs, **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN**

The City Council initiates amendment to Chapter 25-10 of the Code to accomplish the following

- a Allow signs on limited commercial corridors within the scenic roadway sign districts to be designated by stakeholders by the

Planning Commission and the Planning Commission subcommittee on  
Codes and Ordinances,

- b Prohibit truck-mounted and car-mounted ads within the full-purpose City limits, on vehicles driven solely for the purpose of advertising businesses that are unrelated to the vehicle's primary business, excluding vehicles that are not motor-operated (such as pedi-cabs), vehicles which display only an advertisement or business identification of its owner so long as such vehicle is engaged in the usual business or regular work of its owner and is not used merely, mainly, or primarily to display "third-party" advertisements, and busses used primarily for the purpose of transporting multiple passengers,
- c Impose registration requirements (including the requirement to pay a registration fee) upon taxis that advertise unrelated businesses,
- d Clarify, and establish penalties for, §25-10-152 (B)(6)(b) that removes the right to replace a billboard sign once it is removed,
- e Allow signs to be relocated to commercial corridor sign districts without regard to the size of the sign,
- f Define elevated travel ways and except major interchanges and intersections from that definition,

- g Change the way sign height is measured to permit signs to be 42.5 feet above the elevation of the highest adjacent main travel lane (measured to the top of the sign face) for signs not on elevated travel ways and 25 feet above the elevated travel way (measured from highest elevated point of the travel way within 500 feet of the sign to the top of the sign face) for signs on elevated travel ways, but not within one-half mile of an interchange,
- h Clarify that a sign is deemed to be "adjacent" to an elevated travel way only if the sign face is oriented toward the travel way and the foundation of the sign is located no more than 500 feet away from the travel way at the closest point,
- i Allow the face size of newly-relocated signs to be as large as the total aggregate square footage of face size of all signs removed as a part of the relocation application up to a maximum of 672 square feet, and make signs where the aggregate does not reach a maximum of 672 square feet subject to a required overall 10% reduction in the total aggregate amount of square footage of the sign face size,
- j Amend the code to require off-premise sign owners to register signs and pay fees for all signs within the City's planning jurisdiction, and establish penalties for non-compliance,
- k Require energy-efficient, pollution reduction lighting of non-conforming off-premises signs for all relocation signs immediately

and for all other signs within 36 months after the first month the sign is registered following the date of adoption of the requirement,

- l Require annual registration of all non-conforming off-premises signs,
- m Prohibit any sign owner from relocating a sign if that sign owner is in violation of the registration requirements for any other sign owned by that sign owner within the City's jurisdiction, and
- n Establish a notice requirement to notify sign owners of the upcoming expiration of the registration of a sign no earlier than 90 days and no later than 30 days prior to the expiration and establishing that failure by the City to send such notice voids the prohibition against relocating signs if any signs owned by the sign owner within the City's jurisdiction are in violation of the registration requirements

**BE IT FURTHER RESOLVED,**

The City Manager shall present the amendments to the Council on or before February 10, 2008

**ADOPTED** \_\_\_\_\_, 2007    **ATTEST** \_\_\_\_\_  
Shirley A Gentry  
City Clerk